

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CHARLES N. BARNEY,

Plaintiff,

CASE NO. 1:08-cv-694

v.

HONORABLE PAUL L. MALONEY

CHRISTINE MEYER, D.O., et al.,

Defendants.

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**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation (Dkt. #59) filed by United States Magistrate Judge Joseph G. Scoville in this action. The Report and Recommendation was duly served on the parties. No objections have been filed.

ACCORDINGLY, the Report and Recommendation is hereby adopted as the opinion of the Court.

**THEREFORE, IT IS ORDERED** that for the reasons stated in the Report and Recommendation, plaintiff's claims against defendant Hutchinson are **DISMISSED**; all of plaintiff's state-law claims are **DISMISSED with prejudice**; Defendants Christine Meyer, D.O., Craig Hutchinson, Brendan Sherry, P.A., and Correctional Medical Services, Inc.'s motion for summary judgment (Dkt. #54) is **GRANTED** on all of plaintiff's remaining claims. Plaintiff's complaint is **DISMISSED**.

Because the plaintiff proceeds *in forma pauperis*, the Court must determine whether any appeal would be taken in good faith. *See* 28 U.S.C. § 1915(a)(3); *McGore v. Wrigglesworth*, 114 F.3d 601, 610 (6th Cir. 1997). Because no objections have been filed, the court concludes that an

appeal would not be taken in good faith.

**This action is terminated.**

Dated: September 29, 2010

/s/ Paul L. Maloney  
Paul L. Maloney  
Chief United States District Judge